

ERIC F. LEWIS,)
)
Plaintiff,)
)
vs.) No. 4:09CV01285 CEJ
)
PAUL MERRITT, JR., et al.,)
)
Defendants.)

This matter is before the Court on plaintiff's motion to proceed in forma pauperis. Plaintiff, a prisoner, has filed at least three previous cases that were dismissed as frivolous, malicious, or for failure to state a claim.¹ Under 28 U.S.C. § 1915(g), therefore, the Court may not grant the motion unless plaintiff "is under imminent danger of serious physical injury."

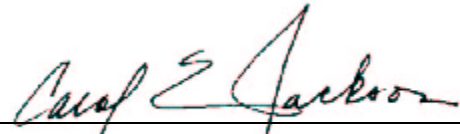
After reviewing the complaint, the Court finds no allegations that would show that plaintiff is in imminent danger of serious physical injury. Therefore, the Court will deny the motion and will dismiss this action without prejudice. If plaintiff seeks to refile this action, he will be required to submit the full amount of the filing fee with the complaint.

¹See Lewis v. Univ. Med. Center, 8:07CV27 LSC (D. Neb.); Lewis v. Univ. Med. Center, 4:07CV3012 LES (D. Neb.); Lewis v. Talent Plus, 4:08CV3076 RGK (D.Neb.).

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis is **denied**.

Dated this 14th day of August, 2009.

A handwritten signature in blue ink, reading "Carol E. Jackson", is written over a horizontal line.

UNITED STATES DISTRICT JUDGE